

(PCT Article 36 and Rule 70)

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/012779

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages _____ as originally filed/furnished
- pages* 1-6 received by this Authority on 06.12.2005 with letter of 05.12.2005
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 2-8 received by this Authority on 06.12.2005 with letter of 05.12.2005
- nos.* 1 received by this Authority on 23.03.2006 with telefax
- ☒ the drawings:
- sheets _____ as originally filed/furnished
- sheets* 1/3-3/3 received by this Authority on 06.12.2005 with letter of 05.12.2005
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-8</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims <u>1-8</u>	YES
		Claims _____	NO
	Industrial applicability (IA)	Claims <u>1-8</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
	<p>1. This report makes reference to the following document:</p> <p>D1: FR-A-1 465 021 (JAVNA ET AL) 22 March 1967 (1967-03-22)</p> <p>2. D1 is regarded as the prior art closest to the subject matter of claim 1. It discloses (the reference signs in parentheses refer to D1):</p> <p>an instrument for pulling ticks out of the skin of animals or humans, comprising:</p> <p>an elongated grip piece (reference sign 2) for gripping the instrument, on one hand, and an at least partially flattened end piece (reference sign 5) that has, at least in part, a first slit and is for gripping the tick, on the other hand, the end piece terminating in a substantially fork-like shape (figure 7), the shape having at least two prongs (reference sign 5) between which a space for gripping a tick is embodied (in the</p>		

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	<p>device in D1, this space depends on whether or not the device is put into operation), the grip piece having a second slit (intermediate space between the two branches) in order to make possible a variation of the space between the prongs of the end piece (see figures 1 and 4), the slits being connected to each other by an integral hinge (reference sign 7).</p> <p>2.1 The subject matter of claim 1 differs from the known instrument in that pressing the grip piece together causes the slit, and therefore also the integral hinge, via the slit, to be pressed together and the space between the prongs thus to be narrowed, and finally the tick thereby being gripped.</p> <p>Therefore, the subject matter of claim is novel (PCT Article 33(2)).</p> <p>2.2 Consequently, the problem to be solved can be regarded as that of providing better control when gripping the tick.</p> <p>2.3 The solution to this problem as proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) for the following reasons: D1 merely shows an instrument, the fork of which opens when the grip is put into operation. Consequently, the movement is in opposite directions, which</p>

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	<p>renders difficult gripping in a coordinated manner. The integral joint in the present invention serves to restrict the slit width. None of the cited documents shows a restriction of the slit width via an integral joint in combination with a sort of tweezer-actuating mechanism.</p> <p>2.4 The basis for the amended claim 1 can be found on, <i>inter alia</i>, page 6, lines 18-22 of the originally submitted description.</p> <p>3. Claims 2-8 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.</p>